

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

STICHTING PENSIOENFONDS ABP,

Plaintiff,

v.

ALLY FINANCIAL INC. f/k/a GMAC, LLC;  
GMAC MORTGAGE CORPORATION a/k/a  
GMAC MORTGAGE LLC;  
HOMECOMINGS FINANCIAL, LLC F/K/A  
HOMECOMINGS FINANCIAL NETWORK,  
INC.; RESIDENTIAL ACCREDIT LOANS,  
INC.; RESIDENTIAL CAPITAL LLC f/k/a  
RESIDENTIAL CAPITAL CORPORATION;  
GMAC-RFC HOLDING COMPANY, LLC  
d/b/a GMAC RESIDENTIAL FUNDING  
CORPORATION; RESIDENTIAL  
FUNDING COMPANY, LLC f/k/a  
RESIDENTIAL FUNDING  
CORPORATION; ALLY SECURITIES, LLC  
d/b/a GMAC RFC SECURITIES and f/k/a  
RESIDENTIAL FUNDING SECURITIES  
CORPORATION; RESIDENTIAL ASSET  
MORTGAGE PRODUCTS, INC.;  
RESIDENTIAL ASSET SECURITIES  
CORPORATION; DEUTSCHE BANK  
SECURITIES, INC.; J.P. MORGAN  
SECURITIES LLC f/k/a J.P. MORGAN  
SECURITIES, INC; BANC OF AMERICA  
SECURITIES LLC; BARCLAYS CAPITAL  
INC.; MERRILL LYNCH, PIERCE,  
FENNER & SMITH INC.; BRUCE J.  
PARADIS; KENNETH M. DUNCAN;  
DAVEE L. OLSON; RALPH T. FLEES;  
LISA R. LUNDSTEN; DAVID C. WALKER;  
JAMES G. JONES; DAVID M. BRICKER;  
JAMES N. YOUNG, and DIANE WOLD,

Defendants.

12-cv-1381 (ADM/TNL)

**STIPULATION REGARDING  
BRIEFING SCHEDULE RELATING  
TO PLAINTIFF'S MOTION TO FILE  
AN AMENDED COMPLAINT**

WHEREAS, Plaintiff has filed a Motion to File an Amended Complaint (Doc. No. 79);

WHEREAS, due to emergency weather conditions in New York, Plaintiff has agreed that the Defendants may have until November 7, 2012, to file a memorandum in opposition to the Motion;

WHEREAS, upon agreement of the parties, the Court rescheduled the hearing on the Motion from November 7, 2012, to November 13, 2012, at 3:00 p.m.

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, through their respective counsel, subject to approval by this Court, that:

1. The Defendants have up to and including November 7, 2012, to file a memorandum in opposition to Plaintiff's Motion to File an Amended Complaint (Doc. No. 79).

Dated: November 5, 2012

By: s/ Elizabeth R. Odette

Richard A. Lockridge (No. 64117)  
Karen H. Riebel (No. 219770)  
Elizabeth R. Odette (No. 340698)  
LOCKRIDGE GRINDAL NAUEN P.L.L.P.  
100 Washington Avenue South, Suite 2200  
Minneapolis, Minnesota 55401  
Telephone: (612) 339-6900  
Facsimile: (612) 339-0981  
Email: ralockridge@locklaw.com  
khriebel@locklaw.com  
erodette@locklaw.com

Jay W. Eisenhofer  
Geoffrey C. Jarvis (*admitted pro hac vice*)  
Deborah A. Elman (*admitted pro hac vice*)  
David M. Haendler (*admitted pro hac vice*)  
Robert D. Gerson (*admitted pro hac vice*)  
GRANT & EISENHOFER P.A.  
485 Lexington Ave., 29th Floor  
New York, NY 10017  
Tel: (646) 722-8500

**ATTORNEYS FOR PLAINTIFF STICHTING  
PENSIOENFONDS ABP**

Dated: November 5, 2012

By: s/ Joseph J. Cassioppi

---

David R. Marshall (#184457)  
Leah C. Janus (#337365)  
Joseph J. Cassioppi (#388238)  
FREDRIKSON & BYRON, P.A.  
200 South Sixth Street  
Suite 4000  
Minneapolis, Minnesota 55402  
Telephone: (612) 492-7000  
Facsimile: (612) 492-7077  
Email: dmarshall@fredlaw.com  
ljanus@fredlaw.com  
jcassioppi@fredlaw.com

*Admitted Pro Hac Vice*

David H. Braff (N.Y. 1975895)  
Jeffrey T. Scott (N.Y. 2890374)  
Joshua Fritsch (N.Y. 4443206)  
Angelica M. Sinopole (N.Y. 4795100)  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, New York 10004-2498  
Telephone: (212) 558-3181  
Facsimile: (212) 558-3588  
Email: braffd@sullcrom.com  
scottj@sullcrom.com  
fritschj@sullcrom.com  
sinopolea@sullcrom.com

**ATTORNEYS FOR DEFENDANT BARCLAYS  
CAPITAL INC.**

Dated: November 5, 2012

By: s/ Meghan M. Anzelc

Michael J. Bleck (No. 8862)

Bret A. Puls (No. 305157)

Meghan M. Anzelc (No. 386534)

222 South Ninth Street

Suite 2000

Minneapolis, Minnesota 55402-3338

Telephone: (612) 607-7000

Facsimile: (612) 607-7100

Email: mbleck@Oppenheimer.com

bpuls@Oppenheimer.com

manzelc@Oppenheimer.com

*Admitted Pro Hac Vice*

Daniel Slifkin (N.Y. 2439768)

Michael A. Paskin (N.Y. 2767507)

J. Wesley Earnhardt (N.Y. 4331609)

Benjamin D. Brutlag (N.Y. 4596698)

Derek Musa (N.Y. 4827978)

CRAVATH, SWAINE & MOORE LLP

Worldwide Plaza

825 Eighth Avenue

New York, New York 10019-7475

Telephone: (212) 474-1000

Facsimile: (212) 474-3700

Email: dslifkin@cravath.com

mpaskin@cravath.com

wearnhardt@cravath.com

dmusa@cravath.com

bbrutlag@cravath.com

ATTORNEYS FOR DEFENDANT J.P. MORGAN  
SECURITIES LLC

*Admitted Pro Hac Vice*

Moses Silverman (N.Y. 1237932)  
H. Christopher Boehning (N.Y. 2659415)  
Jessica S. Carey (N.Y. 4246146)  
PAUL, WEISS, RIFKIND, WHARTON &  
GARRISON LLP  
1285 Avenue of the Americas  
New York, New York 10019-6064  
Telephone: (212) 373-3000  
Facsimile: (212) 757-3990  
Email: msilverman@paulweiss.com  
cboehning@paulweiss.com  
jcarey@paulweiss.com

ATTORNEYS FOR DEFENDANT DEUTSCHE  
BANK SECURITIES INC.

*Admitted Pro Hac Vice*

Meredith E. Kotler (N.Y. 2806297)  
Jared Gerber (N.Y. 4647004)  
Shiwon Choe (N.Y. 4601076)  
CLEARY GOTTlieb STEEN & HAMILTON LLP  
One Liberty Plaza  
New York, New York 10006  
Telephone: (212) 225-2000  
Facsimile: (212) 225-3999  
Email: mkotler@cgsh.com  
jgerber@cgsh.com  
schoe@cgsh.com

ATTORNEYS FOR DEFENDANTS BANC OF  
AMERICA SECURITIES LLC AND MERRILL  
LYNCH, PIERCE, FENNER & SMITH INC.

**ATTORNEYS FOR DEFENDANTS J.P. MORGAN  
SECURITIES LLC, DEUTSCHE BANK  
SECURITIES INC., BANC OF AMERICA  
SECURITIES LLC, AND MERRILL LYNCH,  
PIERCE, FENNER & SMITH INC.**

Dated: November 5, 2012

By: s/ Andrew B. Brantingham

James K. Langdon (#0171931)

Andrew B. Brantingham (#0389952)

DORSEY & WHITNEY LLP

Suite 1500, 50 South Sixth Street

Minneapolis, MN 55402-1498

Telephone: (612) 340-2600

Facsimile: (612) 340-2868

Email: langdon.jim@dorsey.com

brantingham.andrew@dorsey.com

***ATTORNEYS FOR DEFENDANTS BRUCE J.  
PARADIS, KENNETH M. DUNCAN, DAVEE L.  
OLSON, RALPH T. FLEES, LISA R. LUNDSTEN,  
DAVID C. WALKER, JAMES G. JONES, DAVID M.  
BRICKER, JAMES N. YOUNG, AND DIANE WOLD***

Dated: November 5, 2012

By: s/ Sarah E. Bushnell

---

Timothy D. Kelly (#54926)  
Sarah E. Bushnell (#0326859)  
TIMOTHY D. KELLY, P.A.  
3720 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota 55402  
Telephone: (612) 349-6171  
Facsimile: (612) 349-6416  
Email: tkelly@timkellypa.com  
sbushnell@timkellypa.com

**KIRKLAND & ELLIS LLP**

Robert J. Kopecky (*pro hac vice*)  
Seth A. Gastwirth (*pro hac vice*)  
300 North LaSalle  
Chicago, IL 60654  
Telephone: (312) 862-2000  
Facsimile: (312) 862-2200  
Email: robert.kopecky@kirkland.com  
Seth.gastwirth@kirkland.com

Jeffrey S. Powell (*pro hac vice*)  
655 Fifteenth Street N.W.  
Washington, D.C. 20005-5793  
Telephone: (202) 879-5000  
Facsimile: (202) 879-5200  
jeff.powell@kirkland.com

**ATTORNEYS FOR ALLY FINANCIAL, INC. AND  
ALLY SECURITIES, LLC**